

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X AFFIDAVIT OF SERVICE
CAPITAL ONE, NATIONAL ASSOCIATION Civil Action No. 12-5025
Petitioner,

- against -

201 W 134 ST LLC, et al.

Respondent.

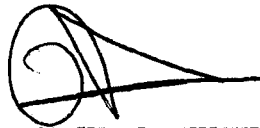
-----X
STATE OF NEW YORK)
) ss.:
COUNTY OF QUEENS)

Andrew Bartley, being duly sworn, deposes and says: Deponent is not a party to this action, is over 18 years of age, and is a resident of the State of New York.

On September 14, 2012, at approximately 12:50 PM, at 201 West 134th Street, New York, NY 10030, Deponent served the within Summons and in a Civil Action, Amended Complaint for Foreclosure of Mortgage and Enforcement of Guaranty with Exhibits upon: **"John and/or Jane Doe"** (2nd Floor Tenants) by delivering to and leaving with Virginia (Jenna) Johnson a true and correct copy of said documents.

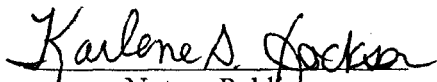
At the time of said service, Virginia (Jenna) Johnson, stated that she resided on the second floor, would accept service of the above listed documents and acknowledged said service by signing a copy of the aforementioned Summons.

Virginia (Jenna) Johnson is described as a white female, approximately 60-65 yrs. of age, 160-170 lbs., 5'6"-5'8" tall, had greying, dark, brown hair and wore glasses.



Andrew Bartley

Sworn to before me this
17th day of September, 2012


Notary Public

Karlene S. Jackson, Notary Public
State of New York, #01JA5083169
Qualified in Queens County; New York County
Commission Expires November 17, 2013

AO 440 (Rev. 12/09) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

Southern District of New York

Capital One, National Association

Plaintiff

v.

201 W 134 ST LLC, et al.

Defendant

Civil Action No. 12-5025

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) JOHN AND/OR JANE DOE
(tenant or occupant)

Premises at 201 West 134th Street a/k/a 2280 Adam Clayton Powell Jr. Blvd.
New York, NY 10030

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Thomas P. Battistoni, Esq.
Schiff Hardin LLP
666 Fifth Avenue, 17th Floor
New York, NY 10103

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

RUBY J. KRAJICK

CLERK OF COURT

Date:

SEP 05 2012

Signature of Clerk or Deputy Clerk